



New Jersey Department of Children and Families Policy Manual

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I. PURPOSE

To ensure that employees whose jobs require driving have valid driver's licenses permitting operation of a motor vehicle in the State of New Jersey.

II. SCOPE

This policy has Department-wide applicability.

III. APPLICABILITY

All Department of Children and Families employees required to operate vehicles or motorized equipment requiring possession of a valid driver's license.

IV. POLICY

An employee whose job responsibilities require driving must possess a valid driver's license. The Department has the authority to prohibit an employee from operating vehicles or motorized equipment on the job if any question exists about the validity of his or her driver's license.

A. Regular Monitoring

1. Employees are prohibited from driving a vehicle on Department business if his or her driver's license is suspended, revoked, or expired.
2. The Department will conduct regular monitoring of employee's driver's licenses.

B. New Employees

1. Each newly hired employee meeting the requirements of applicability of this policy as stated above must possess and produce a valid driver's license prior to, or on the first day of, employment.

2. The Department may withdraw an offer of employment to a newly hired employee if the employee fails to provide proof of a valid license by the first day of employment.

C. Change in Validity of License

1. An employee must report any change in the validity of his or her driver's license to their immediate supervisor on the next work day or next shift after the employee becomes aware of the change.

Changes in the validity of a driver's license include:

- a. Suspension,
 - b. Revocation,
 - c. Expiration, without renewal, or
 - d. Any other significant change.
2. All changes in the validity of an employee's driver's license must be reported to the Office of Cooperative Labor Relations by the employee's supervisor as soon as the supervisor is advised of the change. If a supervisor is advised of a change in the validity of an employee's driver's license and fails to report such change, he or she may be subject to disciplinary action.
3. The Department, in consultation with the Office of Cooperative Labor Relations, will determine the appropriate course of action in response to an employee's loss of driver's license. This may include:
 - a. Placing the employee on suspension without pay, subject to a disciplinary hearing; or
 - b. Other appropriate action as determined by the Department with advance consultation with the Office of Cooperative Labor Relations.

The Department is under no obligation to modify an employee's employment requirements or to reassign the employee based on the revocation or suspension of his or her driver's license.

D. Disciplinary Action

An employee who operates vehicles or motorized equipment on Department of Children and Families business under an expired, suspended, or revoked license, or who fails to report a change in the validity of his or her license, or whose driver's license is suspended, revoked, or expired may be subject to immediate disciplinary action which may include:

- a. Suspension without pay
- b. Removal, or
- c. Other action as determined by the Department with advance consultation with the Office of Cooperative Labor Relations.

V. EXCEPTIONS

A. Change in Job Assignments

An employee's job responsibilities may change as a result of promotion, transfer, reorganization, change in job assignment, or other similar employment actions to require possession of a license. If such an employee cannot provide proof of a valid license at the time job duties change, he or she will be afforded a 30-day period from the effective date of reassignment to provide proof of a valid license. During the 30-day period, the Department may place the employee on temporary assignment, special assignment, or other assignment. If the employee cannot provide proof of a valid driver's license at the end of the 30-day period, he or she will be subject to one of the actions described in "Disciplinary Actions" in this policy.

B. Disability after Date of Hire

An employee whose job responsibilities require operation of vehicles or motorized equipment may become disabled or otherwise unable to maintain a valid license or to operate a vehicle after the date of hire. If such an employee has medical documentation stating that he or she is unable to operate vehicles or motorized equipment, the Department in consultation with the employee, Human Resources and the American Disabilities Act coordinator will determine whether reasonable accommodation, including reassignment, transfer, title change, or other appropriate action, can be provided. If reasonable accommodation, cannot be provided, removal from employment may result, subject to applicable law and regulation.

Date

Kimberly S. Ricketts
Commissioner